

# Bylaw Review Committee 11/20/2019 Minutes

## Attendance:

David Seligman (DS)

Mary McGurn (MM)

Jenn Frederick (JF)

Eileen Vining (EV)

Ellen Maggio (EM)

Richard Allen - Guest (RA)

Marj Wexler - Guest (MW)

Called to order by Chair David Seligman at 5:31 p.m.

- Minutes from the last meeting on September 18, 2019 meeting were reviewed.
  - Designate guests on the attendance list
  - Suggest clarifications on some language in the minutes (around our mission; and in talking about the citizen's guide)
    - items amended and minutes approved

## **Select Board Charge to the committee**

- DS read the letter from Select Board describing the charge of the Bylaw Review committee.
- We confirm that the new version is on the website, and MM shows that the new version is included in the town report (2019)

## **Mary McGurn's Review of Town of Egremont Bylaw 1**

- We review the document that MM prepared last year to undertake a review of Bylaw 1 as part of the Futures Subcommittee
- MM summarized the history of the bylaw review process when the committee was under the leadership of Lucinda Vermuelen: Each committee member was assigned a bylaw to review. MM was assigned the first bylaw, and when she completed her review, she was then to present her work and process to the committee for deliberation, however, the deliberation never happened at that point in time, and subsequent changes in the whole bylaw review process led to this point.
- MM presented her review and process again to those in attendance. She had examined other towns' bylaws and recorded that information. MM notes that one of her focuses was on how the bylaws specify citizen petitions.

- We agree to review MM's document, and upon completing the review of Bylaw 1, then make assignments for review of other bylaws.

### **Relationship of Egremont Town Bylaws and Mass. General Laws, Possibility of Citizens Guide**

There are many instances when MGL guides our town policies and procedures. We discussed the following options:

- Writing the MGL in the text of our Bylaws. We determined this is not a good option because then we would have to update our Bylaws every time MGL is updated.
- Cite the corresponding MGL reference
- Proposed development of a new "Citizen's Guide" as an accompaniment to Town Bylaws that provides more specific details and information about civic engagement for the residents of Egremont, e.g., the basics on town warrants and how-tos for citizens. This Guide may be updated more frequently and easily than amending Bylaws. The Guide could be provided in both print version and PDF. There is presently a "Citizen's Guide" dated 2018 that can be updated.
- Do we remove any existing MGL from our Bylaws?

### **Begin Committee Review of Bylaw 1**

#### **Locations for Posting Town Meeting Warrants**

We review 1.3.1 and discuss the locations where Town Meetings are posted.

- In discussing this the question was raised by EV whether MGL requires digital posting, and if not, why should the town add that? If so, how would the two relate and which would control whether a meeting would be legally posted.
- \*Discussion point to follow up: digitizing town communications as much as possible looking toward the future.
- We agree that Bylaw should specify the four traditional physical locations that Warrants for Town Meetings are posted in Egremont.
- We all agree that Bylaw 1.3.1 should include: "And on the town's website" The rationale is that our committee is tasked with modernizing our bylaws. EV's same from question applies.
- We don't think we should specify about citizen petition process b/c it's in MGL (Great Barrington)

#### **Deadlines for Warrants to be Included in Town Meetings**

We discuss whether there can or should be a deadline for a warrant to be included in a town meeting.

- This may already be included in MGL (Lenox bullet point).
- Our bylaws don't specify a deadline for the selectboard to consider a Zoning board/planning board law. Is this something we need or put in a guide?
- Can we reference the applicable (MGL) statute? (Regarding citizen petitions)
- \*Discussion point to follow up: 21 days notice and not 14 days.

### **Citizen Petitions for Warrants**

We discussed the following points:

- Could the bylaw define what citizen petitions are?
- Do we specify the exact process? Or will the numbers required to bring a petition change and therefore we should not specify the details, simply that it is possible.
- Do we create a new Bylaw section that contains this information?
- MM described her experience with citizens petitions. She had to get 100 signatures because it was a Special Town Meeting, at some point she discovered she would have only need 10 signatures to bring a proposed warrant for the Annual Town Meeting to select board.
- We all agree that we would like to reference the fact that citizens are entitled to bring warrants to a town meeting. The exact wording and details remains to be determined.

### **Notices of Special Town Meetings**

We noted a gap: Newspaper announcements are only required for Special Town Meetings (Section 1.3.1)

- MGL says that newspapers can be online papers now.
- Propose changing to phrase to "news media" to encompass online papers
- Propose consolidating Sections 1.3.1 and 1.5.1

### **Determination of "Quorum" for town meetings**

Discuss other towns definition of quorum and how Egremont defines and establishes a Quorum

- Discussed whether to say how much of a quorum is required to change what constitutes a quorum -- we decide this specific distinction is not needed.
- How did we get 60 as the quorum? EV was in attendance for town meeting held at the firehouse; hard to get a quorum; people used to have to call people to get them to show up; people started arguing to lower the number to 10, someone said 100, EV proposed 60 as a compromise.
- Discuss do we want to change the number of the quorum? What about future growth in population (MM)?

- Lenox defines a quorum using a formula that seems perhaps overly complicated, but the idea of defining a quorum based on demographic data in some way seems like a good idea.
- What if have a 25% increase in population? What is the means to accommodate that population change?
- Is there urgency at the present moment to say we want to grow the quorum? Do we want to change that number? Do we know what the typical attendance is at town meetings?
- We all agree that this is an important question. We agree to note this as an important question that requires more research and continue the discussion next time.

### **Copyedit and Proofreading of Bylaws**

- Suggest a typo and error review as a step in the process at some point.
- One error is found: Let's cross out in 1.3.1 "or take any other action relative thereto."

### **New Business**

- Danile Jordan will not continue on the committee, David asked her to submit her resignation to the Selectboard
- DS asked all of us to give some thought to additional members for this committee to help us review all the Bylaws by our deadline. Possibly people involved in Technology or Environment.